

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TYLER DIVISION**

UNITED STATES OF AMERICA	§	
Vs.	§	CRIM. ACTION NO. 6:15CR56
RASHEED ABDUL AZIZ	§	

ORDER

On October 19, 2015, counsel for Defendant filed a Motion for Psychological/Psychiatric Examination to Determine Competency (ECF 16). The Court conducted a hearing and determined that Defendant should be examined pursuant to 18 U.S.C. § 4241. The Court granted Defendant's motion and ordered Defendant to be committed to the custody of the Attorney General for a period not to exceed 30 days to be examined by a qualified psychologist or psychiatrist for the purpose of determining whether Defendant is presently suffering from a mental disease or defect rendering him mentally incompetent to the extent that he is unable to understand the nature and consequences of the proceedings against him or to assist properly in his defense. In addition, at the Defendant's request, the Court ordered a preliminary assessment concerning the existence of insanity at the time of the alleged offense.

The Court recently received a Psychological Evaluation and Psychological Evaluation Addendum from the Federal Correctional Institution located in Ft. Worth, Texas. Robert Johnson, Ph.D, completed the evaluations. Dr. Johnson finds that Defendant is competent to proceed and that Defendant did not appear to suffer from a severe mental disease or defect that

would have impaired his ability to appreciate the nature, quality, or wrongfulness of his behavior at the time of the alleged offense.

On January 5, 2016, Defendant and his attorney appeared for a competency hearing, pursuant to 18 U.S.C. § 4247(d). The Psychological Evaluation and Psychological Evaluation Addendum were admitted into evidence. The parties did not offer any further evidence as to Defendant's mental competency to stand trial.

Based then, upon the evidence presented, it is the Court's determination that Defendant is **MENTALLY COMPETENT TO PROCEED** in that he is able to understand the nature and consequences of the proceedings against him and to assist properly in his defense.

So ORDERED and SIGNED this 5th day of January, 2016.


K. NICOLE MITCHELL
UNITED STATES MAGISTRATE JUDGE